

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHN GEBHARDT, individually,  
and on behalf of all others similarly  
situated,

Plaintiffs,

vs.

CONAGRA FOODS, INC., BRUCE  
ROHDE, JAMES P. O'DONNELL,  
KENNETH W. DIFONZO, and  
JAY D. BOLDING,

Defendants.

4:01CV427

**MEMORANDUM  
AND ORDER**

Counsel for the plaintiffs have electronically submitted two documents to my chambers: (1) a letter dated January 10, 2007, which in effect amends the pending Lead Plaintiffs' Motion for Distribution of Class Settlement Fund (filing 153), and (2) a revised [Proposed] Order Authorizing Distribution of Class Settlement Fund. (The original proposed Order was Exhibit 2 to the Index of Evidence in Support of Motion for Distribution of Class Settlement Fund, found at filing 157, attachment 1.) I will order that these documents be filed in the court file.

Accordingly, it is ordered:

1. The Clerk shall file the January 10, 2007 letter submitted to my chambers in the CM/ECF file as an "Amended Motion for Distribution of Class Settlement Fund," with a docket entry reflecting that it amends the motion in filing 153;

2. The Clerk shall file the proposed order electronically submitted to my chambers on January 10, 2007, in the CM/ECF file as a “Revised [Proposed] Order Authorizing Distribution of Class Settlement Fund,” with a docket entry indicating that it is an amendment to Exhibit 2 to the Index of Evidence in Support of Motion for Distribution of Class Settlement Fund found at filing 157, attachment 1; and
3. Counsel for the plaintiffs are directed to electronically file any other documents containing revisions to the proposed distribution of the class settlement fund in the CM/ECF system. If any such documents are proposed orders, counsel shall also submit those proposed orders to my chambers in the manner described in Administrative Procedure II.E (2).

January 12, 2007

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge